

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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MILTON MUSA PACHECO,

Plaintiff,

v.

Civil Action No.  
9:07-CV-0850  
(FJS/GHL)

GEORGE E. PATAKI, ELLIOTT SPITZER,  
ANTHONY ELLIS, GEORGE B. ALEXANDER,  
E. WOODS, BRIAN FISHER,  
LUCIEN J. LECLAIRE, JR., ROBERT DENNISON,

Defendants.

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APPEARANCES:

OF COUNSEL

MILTON MUSA PACHECO, 79-B-0064

Plaintiff *pro se*

Great Meadow Correctional Facility

Box 51

Comstock, New York 12821

HON. ANDREW M. CUOMO

Attorney General of the State

of New York

Counsel for Defendant Alexander

The Capitol

Albany, New York 12224

KRISTA A. ROCK, ESQ.

Assistant Attorney General

**FREDERICK J. SCULLIN, JR., S.J.:**

**ORDER**

Currently before the Court is Magistrate Judge George H. Lowe's Report-Recommendation filed May 5, 2010, to which the parties have filed no objections. On May 26, 2010, this Court extended the Plaintiff's deadline to submit objections to Magistrate Judge Lowe's Report-Recommendation to July 26, 2010.

Thereafter, Plaintiff filed no objections to said Report-Recommendation.

Accordingly, having reviewed that Report-Recommendation and the entire file in this matter, the Court hereby

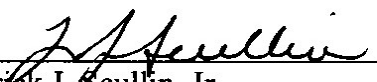
**ORDERS** that the Report-Recommendation of Magistrate Judge George H. Lowe filed May 5, 2010, is **ACCEPTED** in its entirety, for the reasons stated therein; and the Court further

**ORDERS** that Defendant Alexander's motion to dismiss the claims against him for failure to state a claim is **GRANTED** without leave to amend; and the Court further

**ORDERS** that the Clerk of the Court shall serve a copy of this Order on the parties in accordance with the Local Rules.

**IT IS SO ORDERED.**

**Dated:** August 9, 2010  
Syracuse, New York

  
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Frederick J. Scullin, Jr.  
Senior United States District Court Judge